

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

CIVIL ACTION NO.: 5:17-cv-314

BRIGETTE BARFIELD,)
)
 PLAINTIFF,)
)
 VS.)
)
ANDREW SAUL,)
COMMISSIONER)
OF SOCIAL SECURITY,)
)
 DEFENDANT.)

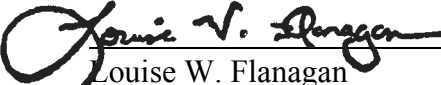
ORDER

This matter is before the Court on the motion for attorney's fees filed by plaintiff's counsel, George C Piemonte, on August 28, 2019. Pursuant to 42 U.S.C. § 406(b), whenever the court renders a judgment favorable to a claimant, it may award attorney fees not to exceed 25% of past-due benefits.

In the instant case, the fee agreement between the plaintiff and counsel provides for a contingency fee of 25% of past-due benefits. In these circumstances, the reviewing court does not calculate a lodestar amount; it simply reviews the fee claimed for reasonableness. See Mudd v. Barnhardt, 418 F.3d 424, 427-28 (4th Cir. 2005) (citing Gisbrecht, 535 U.S. at 801, 808).

The court has reviewed the amount requested by counsel and finds it to be reasonable. Accordingly, counsel's motion is ALLOWED. Plaintiff was awarded \$106,020.00 in past-due benefits at the administrative level after this court entered judgment. The Social Security Administration shall release the sum of \$33,981.00 to plaintiff's counsel as attorney's fees for services rendered before this court. Plaintiff's counsel shall refund to the Plaintiff the amount of \$4,870.01 previously awarded and paid to plaintiff's counsel pursuant to the Equal Access to Justice Act.

SO ORDERED, this the 17th day of September, 2019.



Louise W. Flanagan
United States District Judge